
NORTH AYRSHIRE COUNCIL

4 September 2019

Planning Committee

Title:	Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997: Site of Former St Peter's Primary School, 24 South Crescent Road, Ardrossan.
Purpose:	To seek approval to serve a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 requiring proposed maintenance of the land for the abatement of the adverse impact on the local area.
Recommendation:	That the Committee grants authority for the service of a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 to abate the adverse impact on the land on the local area.

1. Executive Summary

- 1.1 This report recommends the service of a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 ("Amenity Notice") in relation to the land at the site of the former St Peter's Primary School, 24 South Crescent Road, Ardrossan. A Amenity Notice allows the Council as Planning Authority to serve on the owner, lessee and occupier of the land, which is adversely affecting the amenity of any part of the area, a notice requiring steps to be taken to abate the adverse effect of the condition of the land
- 1.2 A fence had been erected on the southern frontage of the site. The fence is in a dilapidated condition and has collapsed entirely at its eastern end. The interior of the site is overgrown and there remains demolition rubble on site. The condition of the land due to the dilapidated condition of the fence and view to the overgrown rubble strewn interior which it provides has a significant adverse impact on the amenity of the local area.

2. Background

- 2.1 The Council has received several complaints regarding the site. The owners have been requested in writing on several occasions since 2017, to re-instate the fence. No response has been received to recent correspondence in relation to this site. An inspection of the property on the 17th June 2019 revealed that the fence was in a dilapidated condition with panels in various states of disrepair and the eastern end of the fence having completely collapsed.

- 2.2 The site comprises a vacant plot of some 0.57hectares on the north side of South Crescent Road close to its junction with Burn Road. The former primary school building on the plot, which was a Category C Listed Building, was demolished in 2003. The site is within the settlement of Ardrossan, close to the boundary with Saltcoats. It is on a main thoroughfare between the two settlements. There are residential properties to the west and east with the Category B Listed Building, No. 26 South Crescent Road immediately adjacent. To the north is the railway line whilst to the south, across South Crescent Road, is open space with a public car park and the beach and shore beyond.
- 2.3 The site is in a prominent location on a main road between Ardrossan and Saltcoats. It is sited opposite the open amenity space on the southern side of South Crescent Road, near the beach, play park and a public car park. The area is well used both by locals and visitors to the town and is a key attraction within Ardrossan.
- 2.4 Given the above, it is considered that the condition of the site has an adverse impact on the area. It is in a prominent location within part of Ardrossan with a generally high level of amenity. It is also considered that the owners have been given adequate opportunity to alleviate the harm caused by the condition of the land. The required works have not been undertaken and the condition of the land continues to cause harm to local amenity.

3. Proposals

- 3.1 The condition of the land is having a significant adverse impact upon the amenity of the area. The site is on a main road between Ardrossan and Saltcoats and in an area of otherwise high amenity due to the nearby recreation areas and beach. The site is visible from those areas and harms local amenity.
- 3.2 In the interest of the amenity of the area, it is recommended that Committee approves the serving of a Notice under Section 179 of the Town and Country planning (Scotland) Act 1997 requiring the following;
- (i) Reinststate the fence on the southern frontage of the site. Where the fence has collapsed, erect a 2m high timber panel fence of a design and colour to match the fence in situ (As shown in attached photograph).
 - (ii) Repair as necessary any damaged panels, finished to match the colour of the fence in situ (As shown in attached photograph).
- 3.3 It is proposed that the owner would be given 6 weeks from the date of any Notice taking effect in which to carry out the requirements.

4. Implications/Socio-economic Duty

Financial

- 4.1 Should any requirement of the Notice not be complied with following expiry of the compliance period, the Council as planning authority may enter the land and carry out such steps in order to achieve compliance with the requirements of the Notice. The Council may then seek to recover from the person(s) who was the then the owner or lessee any expenses reasonably incurred during the carrying out of these works. NAC Cleansing has been made aware of the condition of the land and the possibility of the Council carrying out the works itself. The estimated cost of any works is to be advised.

Human Resources

- 4.2 None

Legal

- 4.3 The proposed Amenity Notice is in accordance with Statutory Regulations.

Equality/Socio-economic

- 4.4 None

Environmental and Sustainability

- 4.5 None

Key Priorities

- 4.6 The proposed Wasteland Notice supports the Council Plan priority – “Vibrant, welcoming and attractive places.”

Community Wealth Building

- 4.7 Any direct action taken under the Planning Acts can support progressive procurement.

5. Consultation

- 5.1 Finance has been advised of the report in terms of its budgetary provision



RUSSELL McCUTCHEON
Executive Director (Place)

For further information please contact **Iain Davies, Senior Development Management Officer**, on **01294 324 320**.

Background Papers

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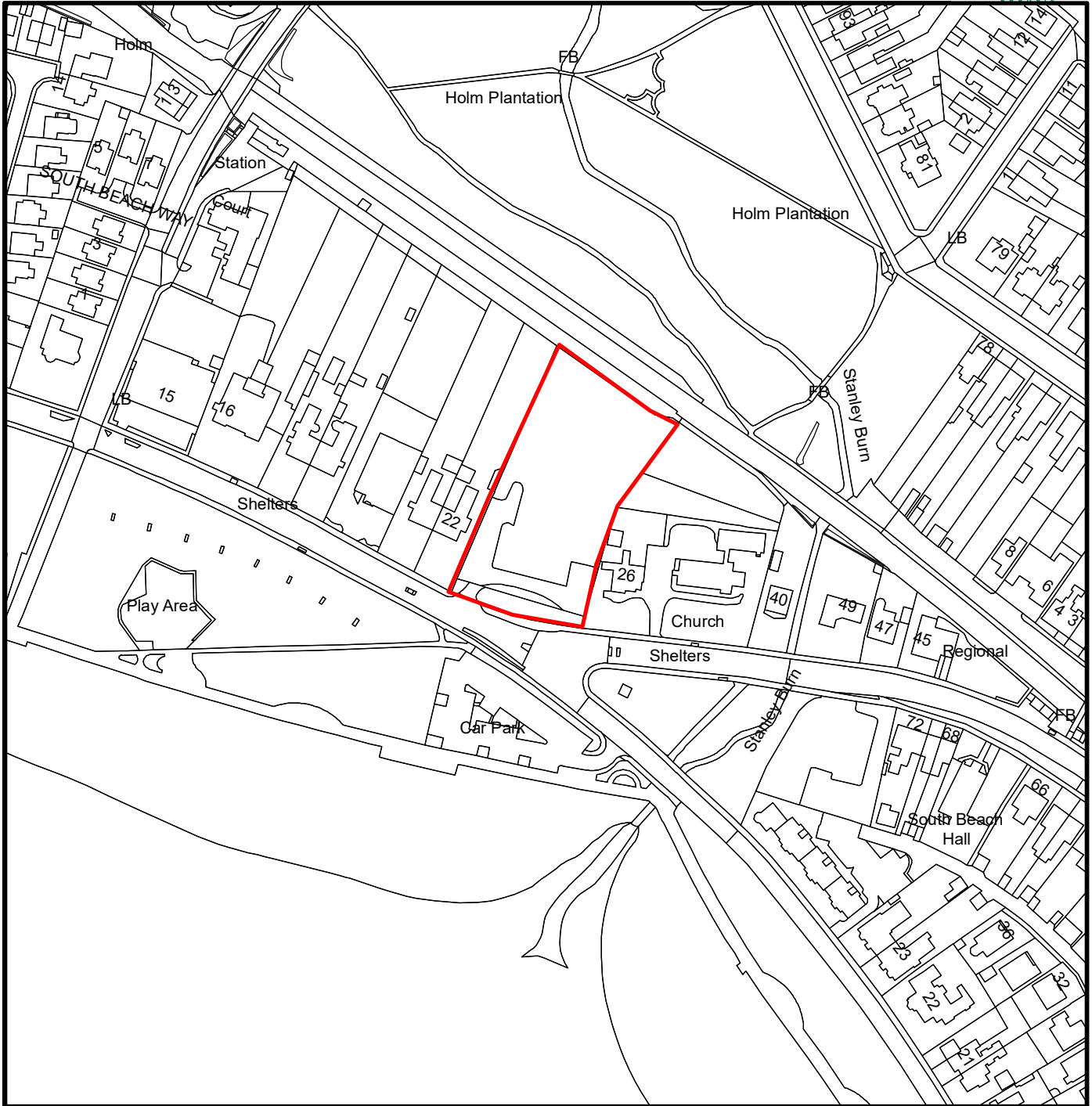


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Former St. Peters Primary School, South Crescent Road, Ardrossan



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